

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 4:20-cv-00957-SDJ

EXHIBIT 6

**PLAINTIFF STATES' OPENING BRIEF TO THE SPECIAL MASTER
FOR THE MARCH 21, 2024 HEARING**



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March 5, 2024

Re: *State of Texas et al. v. Google LLC*, No. 4:20-cv-957-SDJ (E.D. Tex.)

Counsel:

We write further to our letter dated February 16, 2024 which described the scope of Google's agreement to make additional source code available for inspection in response to Plaintiffs' recent demands. Specifically, Google offered to make available (1) one additional source code snapshot on a date of Plaintiffs' choosing to resolve Plaintiffs' request for source code for the initial Bernanke implementation, and (2) certain files and directories to address the majority of Plaintiffs' requests from pages 4-5 of their January 16, 2024 letter.¹ Plaintiffs have yet to respond to Google's offer.

As previewed in our February 16 letter, Google now confirms that it is also able to make available the files listed in Appendix 1 to this letter. This resolves Plaintiffs' specific requests for files from "[REDACTED]", "[REDACTED]", and "[REDACTED]". For the avoidance of doubt, these additional files are being offered in addition to the files and directories offered by Google in its February 16 letter. Collectively, the files and directories listed in Appendix 1 to this letter and Appendix 1 to our February 16 letter resolve all of Plaintiffs' requests for files and

¹ Google did not agree to produce materials for Plaintiffs' requests for files and directories that do not exist or implicate billions of lines of code not tethered to the ad tech products and features in this case. Further, Google did not agree to make available additional source code in response to Plaintiffs' remaining two requests because Google confirmed that it already made available source code for Project Bell, and Plaintiffs' request for SSTables and "experiment code files" requires Google to undergo the burdensome, cumulative, and duplicative exercise of collecting historical raw data when Plaintiffs already have access to the more relevant source code.

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directories from pages 4-5 of your January 16 letter.

Google cannot begin the source code collection process until Plaintiffs select the date of the additional source code snapshot that we offered on February 16. Please provide that date as soon as possible and confirm your agreement that Plaintiffs' requests for additional source code have now been resolved.

Sincerely,

/s/ Robert J. McCallum

Robert J. McCallum

Appendix 1

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]